

**ASSEMBLY BILL**

**No. 1061**

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**Introduced by Assembly Member Mullin**

February 23, 2007

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An act to amend Sections 33126, 33126.1, 35256, and 35258 of the Education Code, relating to school accountability.

LEGISLATIVE COUNSEL'S DIGEST

AB 1061, as introduced, Mullin. School accountability: report card.

The Classroom Instructional Improvement and Accountability Act, requires the governing board of each school maintaining an elementary or secondary school to develop and cause to be implemented for each school in the district a school accountability report card that includes assessments of various school conditions, as specified. The existing act prohibits any change to its provisions, except a change to further its purposes enacted by a bill passed by a vote of  $\frac{2}{3}$  of the Legislature and signed by the Governor.

This bill would delete certain items from the list of school conditions for which assessments are required to be included in the school accountability report card, including the quality of school instruction and leadership, the degree to which pupils are prepared to enter the workforce, and whether the school qualifies for the Governor's Performance Award Program. The bill would state legislative findings and declarations that the changes made to the existing act by those provisions further the purposes of the existing act.

Existing law requires the State Department of Education to develop and recommend for adoption a standardized template for the school accountability report card. Existing law requires local educational

agencies to make the report cards available through the Internet or through paper copies.

This bill would require each school district, commencing with the 2008–09 school year, to make its most recent school accountability report card available through the Internet or hard copies on or before February 1 of each year, as specified.

This bill would delete obsolete provisions and make clarifying and other technical changes.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 33126 of the Education Code is amended  
2 to read:

3 33126. (a) The school accountability report card shall provide  
4 data by which a parent can make meaningful comparisons between  
5 public schools that will enable him or her to make informed  
6 decisions on which school to enroll his or her children.

7 (b) The school accountability report card shall include, but is  
8 not limited to, assessment of the following school conditions:

9 (1) (A) Pupil achievement by grade level, as measured by the  
10 standardized testing and reporting programs pursuant to Article 4  
11 (commencing with Section 60640) of Chapter 5 of Part 33.

12 ~~(B) Pupil achievement in and progress toward meeting reading,~~  
13 ~~writing, arithmetic, and other academic goals, including results by~~  
14 ~~grade level from the assessment tool used by the school district~~  
15 ~~using percentiles when available for the most recent three-year~~  
16 ~~period.~~

17 ~~(C)~~

18 (B) After the state develops a statewide assessment system  
19 pursuant to Chapter 5 (commencing with Section 60600) and  
20 Chapter 6 (commencing with Section 60800) of Part 33, pupil  
21 achievement by grade level, as measured by the results of the  
22 statewide assessment.

23 ~~(D)~~

24 (C) Secondary schools with high school seniors shall list both  
25 the average verbal and math Scholastic Assessment Test scores to  
26 the extent provided to the school and the percentage of seniors  
27 taking that exam for the most recent three-year period.

(2) Progress toward reducing dropout rates, including the one-year dropout rate listed in the California Basic ~~Education~~ *Educational* Data System or any successor data system for the schoolsite over the most recent three-year period, and the graduation rate, as defined by the State Board of ~~Education~~, over the most recent three-year period when available pursuant to Section 52052.

(3) Estimated expenditures per pupil and types of services funded. The assessment of estimated expenditures per pupil shall reflect the actual salaries of personnel assigned to the schoolsite. The assessment of estimated expenditures per pupil shall be reported in total, shall be reported in subtotal by restricted and by unrestricted source, and shall include a reporting of the average of actual salaries paid to certificated instructional personnel at that schoolsite.

(4) Progress toward reducing class sizes and teaching loads, including the distribution of class sizes at the schoolsite by grade level; ~~and the average class size, and, if applicable, the percentage of pupils in kindergarten and grades 1 to 3, inclusive, participating in the Class Size Reduction Program established pursuant to Chapter 6.10 (commencing with Section 52120) of Part 28;~~ using ~~the California Basic Education~~ *Educational* Data System or any successor data system information for the most recent three-year period.

(5) The total number of the school's fully credentialed teachers, the number of teachers relying upon emergency credentials, the number of teachers working without credentials, any assignment of teachers outside their subject areas of competence, misassignments, including misassignments of teachers of English learners, and the number of vacant teacher positions for the most recent three-year period.

(A) For purposes of this paragraph, "vacant teacher position" means a position to which a single-designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position of which a single-designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

(B) For purposes of this paragraph, "misassignment" means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized

1 certificate or credential or the placement of a certificated employee  
2 in a teaching or services position that the employee is not otherwise  
3 authorized by statute to hold.

4 (6) (A) Quality and currency of textbooks and other  
5 instructional materials, including whether textbooks and other  
6 materials meet state standards and are adopted by the State Board  
7 of Education for kindergarten and grades 1 to 8, inclusive, and  
8 adopted by the governing boards of school districts for grades 9  
9 to 12, inclusive, and the ratio of textbooks per pupil and the year  
10 the textbooks were adopted.

11 (B) The availability of sufficient textbooks and other  
12 instructional materials, as defined in Section 60119, for each pupil,  
13 including English learners, in each of areas enumerated in clauses  
14 (i) to (iii), inclusive. If the governing board determines, pursuant  
15 to Section 60119 that there are insufficient textbooks or  
16 instructional materials, or both, it shall include information for  
17 each school in which an insufficiency exists, identifying the  
18 percentage of pupils who lack sufficient standards-aligned  
19 textbooks or instructional materials in each subject area. The  
20 subject areas to be included are all of the following:

21 (i) The core curriculum areas of reading/language arts,  
22 mathematics, science, and history/social science.

23 (ii) Foreign language and health.

24 (iii) Science laboratory equipment for grades 9 to 12, inclusive,  
25 as appropriate.

26 (7) The availability of qualified personnel to provide counseling  
27 and other pupil support services, including the ratio of academic  
28 counselors per pupil.

29 (8) Availability of qualified substitute teachers.

30 (9) Safety, cleanliness, and adequacy of school facilities,  
31 including any needed maintenance to ensure good repair as  
32 specified in Section 17014, Section 17032.5, subdivision (a) of  
33 Section 17070.75, and subdivision (b) of Section 17089.

34 (10) Adequacy of teacher evaluations and opportunities for  
35 professional improvement, including the annual number of  
36 schooldays dedicated to staff development for the most recent  
37 three-year period.

38 (11) Classroom discipline and climate for learning, including  
39 suspension and expulsion rates for the most recent three-year  
40 period.

1 (12) Teacher and staff training, and curriculum improvement  
2 programs.

3 ~~(13) Quality of school instruction and leadership.~~

4 ~~(14) The degree to which pupils are prepared to enter the~~  
5 ~~workforce.~~

6 ~~(15)~~

7 (13) The total number of instructional minutes offered in the  
8 school year, separately stated for each grade level, as compared  
9 to the total number of the instructional minutes per school year  
10 required by state law, separately stated for each grade level.

11 ~~(16)~~

12 (14) The total number of minimum days, as specified in Sections  
13 46112, 46113, 46117, and 46141, in the school year.

14 ~~(17)~~

15 (15) The number of advanced placement courses offered, by  
16 subject.

17 ~~(18)~~

18 (16) The Academic Performance Index, including the  
19 disaggregation of subgroups as set forth in Section 52052 and the  
20 decile rankings and a comparison of schools.

21 ~~(19)~~

22 (17) Whether a school qualified for the Immediate Intervention  
23 Underperforming Intervention/Underperforming Schools Program  
24 pursuant to Section 52053 and whether the school applied for, and  
25 received a grant pursuant to, that program.

26 ~~(20) Whether the school qualifies for the Governor's~~  
27 ~~Performance Award Program.~~

28 ~~(21)~~

29 (18) When available, the percentage of pupils, including the  
30 disaggregation of subgroups, as set forth in Section 52052,  
31 completing grade 12 who successfully complete the high school  
32 exit examination, as set forth in Sections 60850 and 60851, as  
33 compared to the percentage of pupils in the district and statewide  
34 completing grade 12 who successfully complete the examination.

35 ~~(22)~~

36 (19) Contact information pertaining to any organized  
37 opportunities for parental involvement.

38 ~~(23)~~

39 (20) For secondary schools, the percentage of graduates who  
40 have passed course requirements for entrance to the University of

1 California and the California State University pursuant to Section  
2 51225.3 and the percentage of pupils enrolled in those courses, as  
3 reported by the California Basic ~~Education~~ *Educational* Data  
4 System or any successor data system.

5 ~~(24)~~

6 (21) Whether the school has a college admissions test  
7 preparation course program.

8 ~~(25)~~

9 (22) Career technical education data measures, including all of  
10 the following:

11 (A) A list of programs offered by the school district that pupils  
12 at the school may participate in and that are aligned to the model  
13 curriculum standards adopted pursuant to Section 51226, and  
14 program sequences offered by the school district. The list should  
15 identify courses conducted by a regional ~~occupation~~ *occupational*  
16 center or program, and those conducted directly by the school  
17 district.

18 (B) A listing of the primary representative of the career technical  
19 advisory committee of the school district and the industries  
20 represented.

21 (C) The number of pupils participating in career technical  
22 education.

23 (D) The percentage of pupils that complete a career technical  
24 education program and earn a high school diploma.

25 (E) The percentage of career technical education courses that  
26 are sequenced or articulated between a school and institutions of  
27 postsecondary education.

28 (c) If the Commission on State Mandates finds a school district  
29 is eligible for a reimbursement of costs incurred complying with  
30 this section, the school district shall be reimbursed only if the  
31 information provided in the school accountability report card is  
32 accurate, as determined by the annual audit performed pursuant  
33 to Section 41020. If the information is determined to be inaccurate,  
34 the school district is not ineligible for reimbursement if the  
35 information is corrected by May 15.

36 (d) It is the intent of the Legislature that schools make a  
37 concerted effort to notify parents of the purpose of the school  
38 accountability report cards, as described in this section, and ensure  
39 that all parents receive a copy of the report card; to ensure that the  
40 report cards are easy to read and understandable by parents; to

1 ensure that local educational agencies with access to the Internet  
2 make available current copies of the report cards through the  
3 Internet; and to ensure that administrators and teachers are available  
4 to answer any questions regarding the report cards.

5 SEC. 2. Section 33126.1 of the Education Code is amended to  
6 read:

7 33126.1. (a) The department shall develop and recommend  
8 for adoption by the State Board of Education a standardized  
9 template intended to simplify the process for completing the school  
10 accountability report card and make the school accountability  
11 report card more meaningful to the public.

12 (b) The standardized template shall include fields for the  
13 insertion of data and information by the department and by local  
14 educational agencies, including a field to report the determination  
15 of the sufficiency of textbooks and instructional materials, as  
16 defined in Section 60119, and a summary statement of the  
17 condition of school facilities, as defined in Section 17014, Section  
18 17032.5, subdivision (a) of Section 17070.75, and subdivision (b)  
19 of Section 17089. The department shall provide examples of  
20 summary statements of the condition of school facilities that are  
21 acceptable and those that are unacceptable. When the template for  
22 a school is completed, it should enable parents and guardians to  
23 compare the manner in which local schools compare to other  
24 schools within that district as well as other schools in the state.

25 (c) In conjunction with the development of the standardized  
26 template, the department shall furnish standard definitions for  
27 school conditions included in the school accountability report card.  
28 The standard definitions shall comply with the following:

29 (1) Definitions shall be consistent with the definitions already  
30 in place or under the development at the state level pursuant to  
31 existing law.

32 (2) Definitions shall enable schools to furnish contextual or  
33 comparative information to assist the public in understanding the  
34 information in relation to the performance of other schools.

35 (3) Definitions shall specify the data for which the department  
36 will be responsible for providing and the data and information for  
37 which the local educational agencies will be responsible.

38 (d) By December 1, 2000, the department shall report to the  
39 State Board of Education on the school conditions for which it  
40 already has standard definitions in place or under development.

1 The report shall include a survey of the conditions for which the  
2 department has valid and reliable data at the state, district, or school  
3 level. The report shall provide a timetable for the inclusion of  
4 conditions for which standard definitions or valid and reliable data  
5 do not yet exist through the department.

6 (e) By December 1, 2000, the Superintendent of Public  
7 Instruction shall recommend and the State Board of Education  
8 shall appoint 13 members to serve on a broad-based advisory  
9 committee of local administrators, educators, parents, and other  
10 knowledgeable parties to develop definitions for the school  
11 conditions for which standard definitions do not yet exist. The  
12 State Board of Education may designate outside experts in  
13 performance measurements in support of activities of the advisory  
14 board.

15 (f) By January 1, 2001, the State Board of Education shall  
16 approve available definitions for inclusion in the template as well  
17 as a timetable for the further development of definitions and data  
18 collection procedures. ~~By July 1, 2001, and each~~ Each year  
19 thereafter, the State Board of Education shall adopt the template  
20 for the current year's school accountability report card. Definitions  
21 for all school conditions shall be included in the template by July  
22 1, 2002.

23 (g) The department shall annually post the completed and  
24 viewable template on the Internet. The template shall be designed  
25 to allow schools or districts to download the template from the  
26 Internet. The template shall further be designed to allow local  
27 educational agencies, including individual schools, to enter data  
28 into the school accountability report card electronically,  
29 individualize the report card, and further describe the data elements.  
30 The department shall establish model guidelines and safeguards  
31 that may be used by school districts *with* secured access only for  
32 those school officials authorized to make modifications.

33 ~~(h) The department shall annually post, on the Internet, each~~  
34 ~~eligible school's claiming rate of pupils who earned an award for~~  
35 ~~either of the programs established by subdivision (a) of Section~~  
36 ~~69997. The Scholarshare Investment Board shall provide the~~  
37 ~~claiming rates, for the most recent two-year period, for each eligible~~  
38 ~~school to the department by June 30 of each year. Schools shall~~  
39 ~~post their claiming rate, required in paragraph (25) of subdivision~~  
40 ~~(b) of Section 33216, from the Internet site of the department.~~



1     ~~(i)~~

2     (h) The department shall maintain current Internet links with  
3 the *Internet* Web sites of local educational agencies to provide  
4 parents and the public with easy access to the school accountability  
5 report cards maintained on the Internet. In order to ensure the  
6 currency of these Internet links, local educational agencies that  
7 provide access to school accountability report cards through the  
8 Internet shall furnish current Uniform Resource Locators for their  
9 *Internet* Web sites to the department.

10    ~~(j)~~

11    (i) A school or school district that chooses not to utilize the  
12 standardized template adopted pursuant to this section shall report  
13 the data for its school accountability report card in a manner that  
14 is consistent with the definitions adopted pursuant to subdivision  
15 (c).

16    ~~(k)~~

17    (j) The department shall provide recommendations for changes  
18 to the California Basic ~~Education~~ *Educational* Data System, or  
19 any successor data system, and other data collection mechanisms  
20 to ensure that the information will be preserved and available in  
21 the future.

22    ~~(l) Local educational agencies shall make these school~~  
23 ~~accountability report cards available through the Internet or through~~  
24 ~~paper copies.~~

25    ~~(m)~~

26    (k) The department shall monitor the compliance of local  
27 educational agencies with the requirements to prepare and to  
28 distribute school accountability report cards, *including, but not*  
29 *limited to, the requirements contained in this section, subdivision*  
30 *(c) of Section 35256, and Section 35258.*

31    SEC. 3. Section 35256 of the Education Code is amended to  
32 read:

33    35256. School Accountability Report Card

34    The governing board of each school district maintaining an  
35 elementary or secondary school shall, by September 30, 1989, or  
36 the beginning of the school year, develop and cause to be  
37 implemented for each school in the school district a School  
38 Accountability Report Card.

(a) The School Accountability Report Card shall include, but is not limited to, the conditions listed in ~~Education Code~~ Section 33126.

(b) Not less than triennially, the governing board of each school district shall compare the content of the school district's School Accountability Report Card to the model School Accountability Report Card adopted by the State Board of ~~Education~~. Variances among school districts shall be permitted where necessary to account for local needs.

(c) ~~The Governing Board~~ *governing board* of each school district shall annually issue a School Accountability Report Card for each school in the school district, publicize ~~such~~ *those* reports, and notify parents or guardians of ~~students~~ *pupils* that a *hard* copy will be provided upon request. *Commencing with the 2008-09 school year, each school district shall make hard copies of its most recent report card available, upon request, on or before February 1 of each year.*

SEC. 4. Section 35258 of the Education Code is amended to read:

35258. (a) On or before July 1, 1998, each school district that is connected to the Internet shall make the information contained in the School Accountability Report Card developed pursuant to Section 35256 accessible on the Internet. The School Accountability Report Card information shall be updated annually. *Commencing with the 2008-09 school year, each school district connected to the Internet shall make the information contained in its most recent report card available on the Internet on or before February 1 of each year.*

(b) *Commencing with the 2008-09 school year, each school district not connected to the Internet shall make hard copies of its most recent School Accountability Report Card available, pursuant to subdivision (c) of Section 35256, on or before February 1 of each year.*

SEC. 5. The Legislature finds and declares that the changes made to Sections 33126 and 35256 of the Education Code by Sections 1 and 3, respectively, of this act further the purposes of the Classroom Instructional Improvement and Accountability Act.

1     SEC. 6. It is the intent of the Legislature, in enacting this act,  
2 to improve the effectiveness of the annual school accountability  
3 report cards.

O